

Wetlands Bureau Decision Report

Decisions Taken
09/19/2005 to 09/25/2005

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2002-00222 MONTANA REALTY TRUST
SANDOWN Hunt Pond

Requested Action:

Dredge and fill approximately 24,650 square feet of forested wetlands for construction of a 35 lot residential subdivision roadway system.

Conservation Commission/Staff Comments:

This file overlaps with 2002-00125.

Inspection Date: 04/18/2002 by Christian P Williams

APPROVE PERMIT:

Dredge and fill approximately 24,650 square feet of forested wetlands for construction of a 35 lot residential subdivision roadway system. Mitigation includes a 29.5 acre conservation easement.

With Conditions:

1. All work shall be in accordance with plans by McKenzie Engineering Group, Inc. dated January 25, 2002, as received by the Department on November 27, 2002.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the Department prior to construction.
5. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
6. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Work shall be done during low flow.
9. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
10. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
11. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
13. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
14. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
15. Temporary cofferdams shall be entirely removed immediately following construction.
16. Dredged material shall be placed outside of the jurisdiction of the Department.
17. Proper headwalls shall be constructed within seven days of culvert installation.
18. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing

Areas in New Hampshire (August, 1992).

19. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
20. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
21. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
22. Area of temporary impact shall be regraded to original contours following completion of work.
23. All material removed during work activities shall be removed down to the level of the original hydric soils.
24. All material removed during work activities shall be placed out of DES's jurisdiction.
25. Mulch within the restoration area shall be straw.
26. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers specifications. The receipt and contents of the wetland mix shall be supplied to NHDES within 10 days of application.
27. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
28. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
29. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
30. Silt fencing must be removed once the area is stabilized.
31. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
32. A post-construction report documenting the status of the restored jurisdictional area, including photographs shall be submitted to the Department within 60 days of the completion of construction.

Wetland preservation:

1. This permit is contingent upon the receipt and approval by the Department of the final conservation easement on 29.5 acres as depicted on preliminary plans by Cornerstone Survey Associates dated June 2001, as received by the Department on February 15, 2005. As agreed by the applicant approval of the easement will require the removal of individual lot lines.
2. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
3. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the Department prior to the start of construction.
4. Signs to indicate the location of and restrictions on the area shall be posted every 150 feet along the boundary of the conservation area prior to construction.
5. The applicant shall prepare a report summarizing existing conditions within the conservation area. Said report shall contain photographic documentation of the easement area, and shall be submitted to the DES and the grantee prior to construction to serve as a baseline for future monitoring of the easement area.
6. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments or stakes prior to construction.
7. The Department shall be notified of the placement of the easement monuments to coordinate on-site review of their location prior to construction.
8. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
8. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. The project is categorized as a Major Project, per Rule Wt 303.02(c), as the project involves alteration of greater than 20,000 square feet of nontidal wetlands.

2. Impacts will total 24,650 square feet, of which 19,000 square feet will occur in Sandown and 2,250 square feet will occur in Chester. An additional 3,400 square feet of impact associated with the construction of Penacook road (Wetlands Bureau File No. 2001-1398) is also included in this total.
3. To compensate for permanent wetland impacts the applicant proposes to preserve through a conservation easement a total of 29.5 acres adjacent to the Exeter River. The conservation easement area will also serve as compensatory mitigation for approximately 23,025 square feet of permanent off-site wetlands impacts associated with Wetlands Bureau File No. 2002-0125.
4. This permit is contingent upon the receipt and approval by the Department of the final conservation easement on 29.5 acres as depicted on preliminary plans by Cornerstone Survey Associates dated June 2001, as received by the Department on February 15, 2005. As agreed by the applicant the approval of the easement will require the removal of individual lot lines.
5. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
6. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
7. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
8. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this wetland ecosystem.
9. In a letter to the Department dated March 19, 2002, an abutter stated concerns regarding the construction of Meghan Drive along the wetlands of Hunt Pond. The abutter stated that Hunt Pond has no inlets and only a single spillover dam outlet and therefore the concern is that Hunt Pond is unable to adequately "flush" itself. The applicant is concerned that this inability will allow for the accumulation of automobile contaminants and an eventual decline of the ecosystem.
10. The initial crossing of Meghan Drive now Barbara Lane has been moved north eliminating Hunt Pond wetland impacts at this crossing, per plans by McKenzie Engineering Group, Inc. dated January 25, 2002, as received by the Department on November 27, 2002.
11. DES staff and the Sandown Conservation Commission conducted a site-walk on April 18, 2002. The Conservation Commission members asked for the re-examination of culvert sizing and for clarification or conformation as to whether isolated wetland areas on lots 17-3, 17-18, 17-23, 17-24, and 17-25 contain vernal pool habitat. Concern for erosion controls were raised based on observations of previous construction conditions on Penacook Road of an earlier phase of the subdivision and a request was made for erosion controls to be installed, monitored, and repaired by a qualified professional. Evidence of un-permitted work was observed along Penacook Road on the Sandown side. Also, the commission in general would prefer mitigation to occur on the same parcel as the impacts.
12. The applicant provided the Department a 25-year storm event analysis for project crossings 5 and 6, prepared by McKenzie Engineering Group, Inc. dated November 14, 2002, as received by the Department on November 27, 2002. The Department determined that culvert sizing was adequate to handle 25-year storm event peak flows.
13. Vernal pool surveys were completed by Meridian Land Services, Inc. on April 10, 2002 for lots 17-18, 17-23, 17-24, and 17-25. The isolated wetland near the front or southwest portion of lot 17-25 and the isolated wetland in the northeast corner of lot 17-21 showed evidence of being vernal pools.
14. A revised application dated December 10, 2002 and plans revised November 11, 2002 by James M. Lavelle Associates, as received by the department on December 12, 2002 were submitted by the applicant clarifying the wetland impacts in the town of Chester associated with Wetlands Bureau File No. 2001-1398. Unpermitted work along Penacook Drive on the Sandown is incorporated in this file.
15. Associated Wetlands Bureau File No. 2002-0125 is currently in the monitoring phase.
16. In a letter to the Department dated November 27, 2002, the Sandown Conservation Commission stated that it had concerns regarding the proposed project crossing #7. There may be a second pocket of impact by crossing #7 that was not figured into the calculations.
17. The applicant clarified and included the "second pocket" of crossing 7 in plans by McKenzie Engineering Group, Inc. dated January 25, 2002, as received by the Department on November 27, 2002.
18. In a e-mail to the Department dated October 1, 2003 it was brought to the attention of the department that Montana Trust Realty had not yet purchased lot 17-56, of which a portion of the proposed Barbara Lane is located per plans by McKenzie Engineering Group, Inc. dated January 25, 2002, as received by the Department on November 27, 2002.
19. Montana Realty Trust has confirmed that they have acquired ownership of lot 17-56.

2004-00120 NH DEPT OF TRANSPORTATION
ANDOVER Unnamed Wetland

Requested Action:

Request to amend the permit to fill an additional 2,422 sq. ft. to modification the Hoyt Road intersection for better sight distance.

Inspection Date: 08/18/2004 by Gino E Infascelli

APPROVE AMENDMENT:

Resurface, widen and improve drainage along Route 11 impacting 19,762 sq. ft. (744 sq. ft. temporary) of streams, wet meadow and forested wetlands. NHDOT project #14057.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Highway Design, as received by the Department on September 2, 2004; plan sheet received October 15, 2004 (Sta 318+50 to 319+80) and plan sheet received October 28, 2004 (Sta 319+40 to 320+60), all dated 7/6/04 and the amended plan dated and received on 9/20/04 modifying impacts at area BB to 3,477 sq. ft.
2. All work shall be consistent with 16 items listed in the Summary of Environmental Commitments (14057A) by NHDOT and received November 4, 2004.
3. All work shall be consistent with the Conference Report of June 22, 2004 (meeting held June 2, 2004).
4. This permit is contingent on review AND approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
5. Comments submitted by the DES shall be incorporated into the Erosion Control Plan and/ or the Stormwater Pollution Prevention Plans at least one week prior to submitted of the NOI.
6. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
7. Construction equipment shall not be located within surface waters.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
10. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.
13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
14. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
15. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
16. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
17. The impacts associated with the temporary work shall be restored immediately following construction.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(i), alteration of more than 200 linear feet of channel and banks.
2. The amendment modifying the intersection will improve the sight distance for the general public.

2004-00634 ADELPHIA AGRIOS DEMETRIOS LLC, JOHN GRAMMAS
EPPING Unnamed Wetland

Requested Action:

Amened permit by substituting an underground stormwater detention system for the wet pond detention basin thus reducing total permanent wetland impacts by 4,242 square feet.

Fill approximately 51,693 square feet of palustrine forested and scrub-shrub wetlands to construct a retail building and associated parking on a 3.18-acre lot. Fill approximately 13,328 square feet of wetlands to construct an underground stormwater detention system.

As compensatory mitigation for permanent wetlands impacts preserve approximately 33.5 acres of uplands and wetlands adjacent to the Lamprey River, through execution of conservation easements.

Conservation Commission/Staff Comments:

In an electronic mail communication dated May 24, 2004 the Epping Conservation Commission provided the following comments:

a) the DES Wetlands Bureau should seek input from the National Park Service and the Lamprey River Local Advisory Committee regarding the proposed wetlands compensatory mitigation areas; b) the application has no provision for the storage of plowed snow and no measure to prevent plowed snow from melting into the adjacent wetlands; and c) a vegetative buffer of native plants should be planted along the rail trail adjacent to the property.

Inspection Date: 07/07/2004 by Christian P Williams

APPROVE AMENDMENT:

Amened permit by substituting an underground stormwater detention system for the wet pond detention basin thus reducing total permanent wetland impacts by 4,242 square feet.

Fill approximately 51,693 square feet of palustrine forested and scrub-shrub wetlands to construct a retail building and associated parking on a 3.18-acre lot. Fill approximately 13,328 square feet of wetlands to construct an underground stormwater detention system.

As compensatory mitigation for permanent wetlands impacts preserve approximately 33.5 acres of uplands and wetlands adjacent to the Lamprey River, through execution of conservation easements.

With Conditions:

1. All work shall be in accordance with the following plans by TF Moran, Inc.:

a) The Existing Conditions Plan (Sheet 2 of 19), the Wetland Impact Plan (Sheet 4 of 19), the Grading and Drainage Plan (Sheet 6 of 19), the Erosion Control Plan (Sheets 8 & 9 of 19) and the Detail Sheet (Sheets 18 & 19 of 19) dated February 4, 2004 and revised April 15, 2004, as received by the Department on April 14, 2004;

b) The Site Layout Plan (Sheet 5 of 19) dated February 4, 2004 and revised April 15, 2004, as received by the Department on July 13, 2004;

c) The Grading and Drainage Plan (Sheet 7 of 19) dated February 4, 2004 and revised June 28, 2004, as received by the Department on July 13, 2004; and

d) The Underground Stormwater Detention System Plan (Sheet 1 of 4) dated September 12, 2005, as received by the Department on September 15, 2005.

d) The 1998 Aerial Photo Plan entitled "Preservation Proposal for Epping Village Retail, Route 125, Epping, NH" by NH Soil Consultants, Inc., as received by the Department on July 13, 2004.

2. This permit is contingent on approval by the DES Site Specific Program.

3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback on Lot 294 (Epping Tax Map 29).

4. Any further alteration of areas on Lot 292 (Epping Tax Map 29) that are within the jurisdiction of the DES Wetlands Bureau will

require a new application and further permitting by the Bureau.

5. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
6. At least seven days prior to the start of construction the permittee shall notify in writing the NHDES Wetlands Bureau and the Epping Conservation Commission of the date project construction is proposed to begin.
7. Work shall be conducted during low flow conditions.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Stone aprons shall be installed at culvert outlets, where appropriate, to dissipate flow velocities and prevent scour and erosion.
13. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
14. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
16. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
17. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

Upland Buffer and Wetland Preservation:

18. This permit is contingent upon the execution of conservation easements on approximately 33.5 acres, as depicted on the 1998 Aerial Photo Plan entitled "Preservation Proposal for Epping Village Retail, Route 125, Epping, NH" by NH Soil Consultants, Inc., as received by the Department on July 13, 2004.
19. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to the easements.
20. The plan noting the conservation easement areas with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
21. The conservation easement areas shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.
22. Signs to indicate the location of and restrictions on the conservation easement areas shall be posted no further than every 150 feet along the boundaries of the conservation easement areas prior to construction.
23. Prior to construction, the permittee shall notify the NHDES Wetlands Bureau of the placement of the conservation easement area signs.
24. Activities in contravention of the conservation easements shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. The project is categorized as a Major Impact Project, per Administrative Rule Wt 303.02(c), as the project involves greater than 20,00 square feet of alteration in wetlands.
2. The property is bounded to the north and west by an abandoned railroad bed and to the east by Main Street and Route 125. Abutting properties to the north, south and east (across Main Street and Route 125) are comprised of commercial, industrial and retail development.
3. The project will improve existing off-site stormwater drainage problems by redirecting existing untreated stormwater, which currently discharges directly to wetlands, through a subsurface collection system and underground stormwater detention system.
4. The Department finds that the concerns

regarding snow storage and treatment of melting snow, as raised by the Epping Conservation Commission in an electronic mail communication to the DES Wetlands Bureau dated May 24, 2004, have been sufficiently addressed by the applicant's authorized agent, NH Soil Consultants, Inc., in a letter dated July 13, 2004.

5. In response to the electronic mail communication from the Epping Conservation Commission dated May 24, 2004, requesting that the DES Wetlands Bureau seek input from the National Park Service and the Lamprey River Advisory Committee regarding the proposed wetlands compensatory mitigation areas, the Department has reviewed the written comments from the Lamprey River Advisory Committee, dated June 8, 2004, and coordinated with the Rockingham County Conservation District to ensure that the comments are appropriately addressed in the conservation easement deeds. 6. In an Inter-Department Communication dated July 1, 2004, the NH Fish & Game Department indicated that impacts to rare Blanding's, spotted and wood turtles at the site would probably be limited due to the site's proximity to existing development and Routes 101, 125 and Main Street.

7. To compensate for permanent project-related wetlands impacts the applicant has agreed to preserve, through execution of conservation easements, approximately 33.5 acres of wetlands and contiguous upland buffer along the Lamprey River in Epping. The preservation areas contain a variety of habitat types, including forested, scrub-shrub and emergent wetlands, vernal pools, two open-water oxbows, an unnamed perennial stream and forested uplands. The New Hampshire Natural Heritage Bureau has identified a "Red Maple Floodplain Forest" within the preservation area and has indicated that the area may provide habitat for Blanding's, spotted and wood turtles.

8. The wetlands compensatory mitigation proposal exceeds the ratios listed in Table 800-1 of the DES Wetlands Bureau's Compensatory Mitigation Rules (Chapter Wt 800).

9. DES Wetlands Bureau staff conducted a field inspection of the property on July 7, 2004.

10. Public hearing is waived with the finding that the proposed project will not significantly impair the resources of the palustrine forested wetland ecosystem.

11. The need for the proposed jurisdictional impacts has been demonstrated by the applicant per Rule Wt 302.01.

12. The applicant has provided evidence which demonstrates that the proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.

13. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

14. The Department finds that a complete technical review of site drainage issues, including stormwater analyses for quality and quantity of stormwater runoff, has been conducted by the DES Site Specific Program. This includes, but is not limited to, review of: methods to control peak stormwater discharge rates; construction erosion controls; and methods for treatment of stormwater runoff from impervious surfaces. Issuance of DES Site Specific Permit WPS 6775 on May 4, 2004 is indicative that all requirements of Env-Ws 415 have been satisfied.

15. The amendment results in a decrease in permanent wetland impacts of 4,242 sq ft and eliminates all temporary wetland impacts therefore further minimizing impacts to the aquatic resources.

2004-02045 FAR ECHO HARBOR CLUB, STEVEN KELLEHER
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Reconfigure an existing 2252 sq ft 50 slip major docking facility by permanently removing it and replacing it with a 2177 sq ft 50 slip major docking facility consisting of a one 3 ft 9 in by 143 ft piling pier with twelve 2 ft x 20 ft piling supported finger piers located southerly and a 3 ft 9 in by 157 ft piling pier with fourteen 2 ft by 20 ft piling supported fingers piers to the north, install four ice clusters at the lakeward end of the docking facilities on Lake Winnepesaukee, Moultonborough.

Conservation Commission/Staff Comments:

Con. Com. had no objections to project.

APPROVE PERMIT:

Reconfigure an existing 2252 sq ft 50 slip major docking facility by permanently removing it and replacing it with a 2177 sq ft 50 slip major docking facility consisting of a one 3 ft 9 in by 143 ft piling pier with twelve 2 ft x 20 ft piling supported finger piers located southerly and a 3 ft 9 in by 157 ft piling pier with fourteen 2 ft by 20 ft piling supported fingers piers to the north, install four ice clusters at the lakeward end of the docking facilities on Lake Winnepesaukee, Moultonborough.

With Conditions:

1. All work shall be in accordance with plans dated August 5, 2005 as received by the Department on August 17, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
5. Repairs shall maintain existing size, location and configuration.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
6. This permit does not allow for maintenance dredging.
7. The northern dock shall not extend more than 157 ft lakeward and the southern dock shall not extend more than 143 ft lakeward at full lake elevation of 504.32.
8. The minimum clear spacing between piles shall be 12 feet.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a major project per Rule Wt 303.02(d), construction of a major docking facility.
2. The applicant has an average of 640 feet of frontage along Lake Winnepesaukee.
3. The existing docking structure was previously approved by the Department and Governor and Council.
4. The proposed docking facility will provide the same number of slips but results in less construction surface area over public submerged lands and therefore meets the requirements of Rule Wt 402.20.
5. Public hearing is waived based on field inspection, by NH DES staff, on August 6, 2004 with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.

-Send to Governor and Executive Council-

**2005-00045 PEASE DEVELOPMENT AUTHORITY, DIV. OF PORTS & HARBO
PORTSMOUTH Portsmouth Harbor / Piscataqua River**

Requested Action:

Request amendment to permit to add the following:

- d) Construct 610 linear feet of Cape Cod Berm and 120 linear feet of gravel filled swale to catch basin #5, as additional work to the Storm Water Pollution Prevention Plan as required by the EPA under the NPDES Storm Water Multi-Sector General Permit.

Conservation Commission/Staff Comments:

No comments received from the Portsmouth Conservation Commission.

Inspection Date: 02/11/2005 by Frank D Richardson

APPROVE AMENDMENT:

Perform the following construction activities associated with security upgrades at the Pease Development Authority - Division of Ports and Harbors Market Street Marine Terminal within the DES jurisdiction in the tidal buffer zone (TBZ) and tidal waters:

- a) Install 1,200 linear feet of 8-ft. high perimeter security fence in the TBZ.
- b) Construct a 10 ft. x 80 ft. concrete floating dock with a 4 ft. x 44 ft. aluminum gangway attached to the adjacent bulkhead on the east side of the existing barge wharf.
- c) Construct a 16.5 ft.wide x 153 ft.long boat launch ramp along the western side of the existing barge wharf.
- d) Construct 610 linear feet of Cape Cod Berm and 120 linear feet of gravel filled swale to catch basin #5, as additional work to the

Storm Water Pollution Prevention Plan as required by the EPA under the NPDES Storm Water Multi-Sector General Permit.

With Conditions:

1. All work shall be in accordance with plans by Appledore Engineering, Inc. as received by the Department on January 04, 2005.
 - 1a. All work as approved under permit amendment (section d of permit description) shall be in accordance with plans by Maguire Group, Inc. dated July 2005 as received by the Department on September 14, 2005.
 - 1b. The soil surface of the Cape Cod Berm shall be loamed and seeded and planted with Salt Spray Rose (*Rosa rugosa*) and Horizontal Juniper (*Juniperus horizontalis*) for soil binding stability and aesthetics.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Work on boat launch ramp shall be done during low tide.
5. DES Coastal Region staff shall be notified in writing prior to commencement of work and upon its completion.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(a), to: Perform construction activities associated with security upgrades at the Pease Development Authority - Division of Ports and Harbors Market Street Marine Terminal within the DES jurisdiction in the tidal buffer zone (TBZ) and tidal waters.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) & (c), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on February 11, 2005. Field inspection determined this project will not adversely affect the marine environment at this location and is in the public interest.
6. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of the estuarine ecosystem of the Piscataqua River.

-Send to Governor and Executive Council-

2005-01448 KOHLER, LARRY
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Fill 550 sq ft to construct 44 linear ft of breakwater, in an "I" configuration, with a 6 ft gap at the shoreline, and a 4 ft x 42 ft cantilevered pier accessed by a 4 ft x 40 ft walkway, install one piling at the lakeward end of the breakwater, dredge 1 cy from 117 sq ft, on an average of 154 ft of frontage on Lake Winnepesaukee, Moultonborough.

Conservation Commission/Staff Comments:

Con Com has no concerns

APPROVE PERMIT:

Fill 550 sq ft to construct 44 linear ft of breakwater, in an "I" configuration, with a 6 ft gap at the shoreline, and a 4 ft x 42 ft cantilevered pier accessed by a 4 ft x 40 ft walkway, install one piling at the lakeward end of the breakwater, dredge 1 cy from 117 sqft, on an average of 154 ft of frontage on Lake Winnepesaukee, Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated June 14, 2005, as received by the Department on June 27, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.

3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. These shall be the only structures on this water frontage and all portions of the structures, including the breakwater toe of slope, shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. No portion of breakwater as measured at normal full lake shall extend more than 50 feet from normal full lake shoreline.
9. The breakwater shall not exceed 3 feet in height(Elev. 507.32) over the normal high water line(Elev. 504.32).
10. The width as measured at the top of the breakwater(Elev. 507.32) shall not exceed 3 feet.
11. Rocks may not remained stockpiled on the frontage for a period longer than 60 days.
12. Photos showing that all construction materials have been removed from the temporary stockpile area shall be submitted to the Bureau upon completion of the docking facility.
13. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
14. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 feet, more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
15. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483 B (see attached fact sheet).

With Findings:

1. This project is classified as a major project per Rule Wt 303.02(j), Construction of a Breakwater.
2. The construction of a breakwater to provide safe docking at this site is justified in accordance with Rule Wt 402.06, Breakwaters.
3. The applicant has an average of 154 feet of frontage along Lake Winnepesaukee, Moultonborough.
4. A maximum of 3 slips may be permitted on this frontage per Rule Wt 402.12, Frontage Over 75'.
5. The proposed docking facility will provide 1 slips as defined per RSA 482-A and therefore meets Rule Wt 402.12.
6. Public hearing is waived based on field inspection, by NH DES staff, on August 8, 2003, on the adjacent lot with the same owner, with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.

-Send to Governor and Executive Council-

MINOR IMPACT PROJECT

2003-00397 NH FISH & GAME DEPARTMENT
ROCHESTER Baxter Lake

Requested Action:

Amend permit to include the new anchoring system and modify drainage on each side of the boatramp.

APPROVE AMENDMENT:

Excavate 1680 sqft of material from the bank and lake bed to construct a public boat access facility to provide public access to Baxter Lake, Rochester.

With Conditions:

1. All work shall be in accordance with plans by New Hampshire Fish and Game dated April 25, 2005, as received by the

Department on June 13, 2005 and drainage modifications by New Hampshire Department of Environmental Services Dam Bureau dated Sept 2, 2005 as received by the Department on September 13, 2005.

2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

3. Work shall be done during draw down.

4. Appropriate siltation/erosion/turbidity controls, including a turbidity curtain, shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.

5. Upland and bank areas landward of the boat ramp shall not be disturbed by regrading or filling, to minimize the potential for erosion of materials into Baxter Lake.

6. There shall be no cutting of trees or removal of any stumps from the bank except for the area within which construction of the ramp will take place.

7. The ramp approach shall be crowned so that drainage is directed away from the slope of the ramp.

8. Applicant shall be responsible for the following:

- a. providing a handicapped parking spot,
- b. providing a kiosk where state and local agencies can post notices, or rules and restrictions regarding responsible boating and environmental practices.

9. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee.

10. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.

11. The boat ramp shall be utilized indefinitely as a public access to Baxter Lake and shall not change in use.

12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(k).

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. The New Hampshire Fish and Game Department has been given the authority to install public access to public waters under RSA 233-A.

2003-02106 LETENDRE, WILLIAM
TILTON Unnamed Wetland

Requested Action:

Approve amendment to dredge and fill 7206 square feet of palustrine forested wetland for access in the cluster condo development of 58.760 acres into 86 condominium units with approximately 51 acres of conservation easement to be stewarded by the Tilton Conservation Commission.

Conservation Commission/Staff Comments:

The conservation commission did not comment on this application.

APPROVE AMENDMENT:

Dredge and fill 7206 square feet of palustrine forested wetland for access in the cluster condo development of 58.760 acres into 86 condominium units with approximately 51 acres of conservation easement to be stewarded by the Tilton Conservation Commission.

With Conditions:

1. All work shall be in accordance with plans by Holden Engineering and Surveying Inc dated August 8, 2003, and revised through July 13, 2005 as received by the Department on September 9, 2005.

2. This permit is contingent on approval by the DES Site Specific Program.

3. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.

5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
7. Work shall be done during low flow.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Culvert outlets shall be protected in accordance with the Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
13. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
15. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
16. Silt fencing must be removed once the area is stabilized.
17. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. The project is categorized as a Minor Impact Project, per Administrative Rule Wt 303.03(h), as the project involves less than 20,000 square feet of alteration in nontidal wetlands.
2. The applicant has reduced impacts from the original approval of 14,591 square feet to 7,206 square feet.
3. To minimize wetlands impacts the access roadway has been designed to incorporate 2:1 side slopes at the wetland crossings.
4. The mitigation requirements were removed from the permit conditions as this project reduced impacts to below the 10,000 square foot threshold and Wt 302.03 no longer requires the applicant to mitigate for proposed impacts.
5. The need for the proposed jurisdictional impacts has been demonstrated by the applicant per Rule Wt 302.01.
6. The applicant has provided evidence which demonstrates that the proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.
7. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
8. DES Site Specific program issued a permit for the proposed project WPS-7238, July 29, 2005.

2004-01304

CIAMPOLI, BEATRICE

ALTON Coffin Brook

Requested Action:

Dredge and fill a total of 1912 square feet including installation of two 15-inch x 20 foot culverts and the installation of a 5 foot x 4 foot x 20 foot open bottom box culvert for access a proposed single family lot in the subdivision of 42 acres into two single family residential lots.

APPROVE PERMIT:

Dredge and fill a total of 1912 square feet including installation of two 15-inch x 20 foot culverts and the installation of a 5 foot x 4 foot x 20 foot open bottom box culvert for access a proposed single family lot in the subdivision of 42 acres into two single family residential lots.

With Conditions:

1. All work shall be in accordance with plans by Thomas Varney PE dated June 6, 2004, and revised through August 24, 2005, as received by the Department on August 25, 2005.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #5 of this approval.
7. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
8. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
9. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
10. Work shall be done during low flow.
11. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
12. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
13. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
14. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow., High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
15. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
16. Temporary cofferdams shall be entirely removed immediately following construction.
17. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
18. Proper headwalls shall be constructed within seven days of culvert installation.
19. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban
20. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
21. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
22. Silt fencing must be removed once the area is stabilized.
23. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(c); Projects that involve dredge, fill, or construction of a permanent structure in a stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has provided an open bottom structure for the proposed stream crossing.

2005-00198 **ISKANDAR, ALEX & BONNIE**
LEBANON **Mascoma River**

Requested Action:

Dredge and fill 8,980 square feet of palustrine scrub-shrub and emergent wetlands to provide access to a 140 unit residential cluster

subdivision known as Sleeper Village

Conservation Commission/Staff Comments:

Conservation commission requested DES suspend actions for 40 days per RSA 482-A:11,III.

On March 28, 2005, the planning office on behalf of the conservation commission submitted meeting minutes with motions and votes included.

APPROVE PERMIT:

Dredge and fill 8,980 square feet of palustrine scrub-shrub and emergent wetlands to provide access to a 140 unit residential cluster subdivision known as Sleeper Village

With Conditions:

1. All work shall be in accordance with plans by Bruno Associates:
Sheet WE-2 dated 3/28/05, Sheet WE-3 dated 4/28/05, Sheet X-2, and Permit Plans-Final Subdivision sheets, as received by the Department on May 3, 2005;
Erosion Control plans ECP-1 thru ECP-6 dated 8/05/05, Off-Site Water Plan & Profile Sheet SW-1 revised 8/2/054 and Road Plan & Profile sheet R-10 revised 8/19/05.
2. This permit is contingent on approval by the DES Dam Safety Program.
3. This permit is contingent on approval by the DES Site Specific Program.
4. Wetlands and surface waters impacts associated with the development of abutting Lots 143802, 803, and 900 (Lebanon Tax Map 74-1) will be considered cumulatively with wetlands impacts authorized by this permit and may require compensatory mitigation.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
6. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
7. Work shall be done during low flow.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
9. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
10. All wetlands approved to be impacted by construction of the water and sewer lines shall be re-flagged during pre-construction preparation in accordance with the United States Army Corps of Engineers Wetlands Delineation Manual, Technical Report Y-87-1.
11. Construction for water and sewer lines shall be inspected by a qualified wetland scientist, erosion control specialist, or professional engineer to insure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
12. The applicant shall notify NHDES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
13. Any clearing required in utility line rights-of-way shall be in accordance with the "Best Management Practices for Erosion Control on Timber Harvesting Operations in New Hampshire." Timber, slash and/or chips shall be removed from wetland areas and shall not be buried in wetlands.
14. Topsoil in temporary wetland impact areas shall be stripped and segregated from subsoil during construction. Wetland topsoils shall be stockpiled separately from subsoils and shall be restored following backfill.
15. Temporary wetland impact areas shall be restored to their pre-construction conditions within the right-of-way, including restoration of original grades, within 5 days of backfill.
16. A post-construction report documenting status of wetlands restoration shall be submitted to the Wetlands Bureau within six weeks of the completion of construction.
17. Wetland restoration of temporary impact areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or they shall be replanted and re-established until a functional wetland is replicated in a manner

satisfactory to the DES Wetlands Bureau.

18. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

19. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

20. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

21. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

22. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

23. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project proposes to impact 8,980 sq ft of jurisdictional, nontidal, palustrine wetlands and is therefore a minor impact project per Administrative Rule Wt 303.03(h) Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. The project location is not connected by surface hydrology or located in the watershed as the local water supply known locally as Boston Reservoir.

6. Proposed activities related to a scenic road are under the jurisdiction of towns.

7. Approval by the Department for this project is contingent upon review by the DES Site Specific Bureau for maintaining existing drainage patterns.

8. The Department has determined the proposed wetland impacts will have a minimal impact on the environment.

**2005-00411 ABSM REALITY TRUST, ALAN MARLOW TTEE
ALTON Lake Winnepesaukee**

Requested Action:

Install a seasonal boatlift in an existing slip adjacent to a 7 ft 10 in x 30 ft crib pier extending from 28 ft x 12 ft deck on 99 ft of frontage on Lake Winnepesaukee, Alton.

Conservation Commission/Staff Comments:

Con Com has no objections

Inspection Date: 07/25/2005 by Chris T Brison

APPROVE PERMIT:

Install a seasonal boatlift in an existing slip adjacent to a 7 ft 10 in x 30 ft crib pier extending from 28 ft x 12 ft deck on 99 ft of frontage on Lake Winnepesaukee, Alton.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated August 29, 2005, as received by the Department on August 31, 2005.

2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of

the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.

3. No rocks shall be dredged or deposited on property identified as Alton Tax Map 66, Lot 34. 4. This permit does not allow for any modification of the existing structures or dredge of the existing slips.

5. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.

6. The seasonal boatlift shall be removed from the lakebed annually for 4 months during the non-boating season.

7. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(ac), installation of a seasonal boatlift.

2005-00503

PREVETT JR, ANTHONY J. & MARY E.

LACONIA Lake Winnepesaukee

Requested Action:

Amend permit to include the removal of one rock from the existing northern boatslip and install one seasonal boatlift in the southern slip of the docking facility.

Conservation Commission/Staff Comments:

Con Com has not submitted comments by 05/30/05

APPROVE AMENDMENT:

Amend permit to read: Repair two existing 5 ft by 65 ft piling supported docks connected by a 12 ft by 11 ft walkway, with a 15 ft 8 in by 30 ft boathouse, dredge 5 rocks from the lakebed, retain an existing boatlift in the center slip, retain two single PWC lifts adjacent to the shoreline near the southern property line, and install a seasonal boatlift in the southern slip, on 100 ft of frontage on Lake Winnepesaukee, Laconia.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated February 08, 2005, revision date September 19, 2005 as received by the Department on September 21, 2005.

2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.

3. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.

4. Repair shall maintain existing size, location and configuration.

5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.

6. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.

7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.

8. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.

9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

10. This permit does not allow for any dredging of boatslips on the frontage.

11. Seasonal PWC lifts and seasonal boatlift shall be removed for the non-boating season.

12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(g), removal of no more than 20 cy of material from the

lakebed.

2. NH Fish and Game and NHI will not be submitting comments.

2005-00506

VICKOWSKI, GREGORY

ALTON Lake Winnepesaukee

Requested Action:

Amend permit to include one 3 piling ice cluster at the end of the docking facility.

Conservation Commission/Staff Comments:

Con Com questions length and the PWC lifts are not shown on the plans

APPROVE AMENDMENT:

Amend permit to read: Permanently remove an existing 12 ft by 3 ft 5 in wharf along the shoreline, extend an existing 12 ft by 4 ft piling pier to 21 ft 6 in in length, repair a 14 ft by 12 ft deck over the water, install a seasonal boatlift with a 9 ft by 27 ft seasonal canopy in the southern slip, install one 3 piling ice cluster at the end of the dock, and install two PWC lifts to the south of the deck on an average of 100 ft of shoreline on Lake Winnepesaukee, Alton.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated February 26, 2005, revision date August 22, 2005, as received by the Department on August 29, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
5. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
6. Repair shall maintain existing size, location and configuration.
7. This permit does not allow for any dredging of the lakebed for boat slips.
8. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
9. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
10. Canopies shall be of seasonal construction type with a flexible fabric cover which shall be removed for the non-boating season.
11. PWC lifts shall be removed for the non-boating season.
12. The seasonal boatlift shall be of seasonal construction type which shall be removed for the non-boating season.
13. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), construction of a docking system that exceeds the design criteria of Wt 402.01.
2. NH NHI and NH Fish and Game will not be submitting comments.

2005-00554

LANDRY, RICHARD & DENISE

LACONIA Lake Winnisquam

Requested Action:

Remove an existing 4 ft x 20 ft cantilevered pier attached to a 20 ft x 11 ft deck and replace a second 4 ft x 20 ft cantilevered pier with with a 6 ft x 62 ft 6 in seasonal pier attached to the existing non-conforming deck on an average of 132 ft of frontage on Lake Winnepesaukee.

Conservation Commission/Staff Comments:

No Com Com comments by 6/8/05

DENY PERMIT:

Remove an existing 4 ft x 20 ft cantilevered pier attached to a 20 ft x 11 ft deck and replace a second 4 ft x 20 ft cantilevered pier with with a 6 ft x 62 ft 6 in seasonal pier attached to the existing non-conforming deck on an average of 132 ft of frontage on Lake Winnepesaukee.

With Findings:

Standards for Approval

1. In accordance with Rule Wt 402.02, Dimensions, the maximum allowable deck width is 6 ft.
2. In accordance with Rule Wt 402.20, Modification of Existing Structures, the department shall not approve any change to a non-conforming structure unless that change results in a reduction in the environmental impact, construction surface area over public submerged lands, or number of slips provided by the structure.
3. This project is classified as a minor impact project per Rule Wt 303.03 (d), modification of a permanent docking structure providing fewer than 5 slips.

Findings of Fact

4. On March 25, 2005 the Department received an application for a permit to replace an existing 4 ft x 20 ft seasonal pier (160 sq ft) extending from an existing 20 ft x 11 ft deck with a 6 ft x 62 ft 6 in seasonal pier (375 sq ft) extending from the same deck and an after-the-fact approval for a seasonal boatlift all on an average of 132 feet of shoreline frontage.
5. The current rules allow for a maximum of three (3) boat slips on this frontage.
6. Based on information submitted with the application materials the Department finds the piers to be permanent structures.
7. The existing piers on this frontage are permanent and therefore not in compliance with permit # 1990-2289, which authorized the installation of seasonal piers. The existing deck is non-conforming in that current rules only allow for a 6 ft wide deck and the existing deck is 11 ft wide.
8. In June 1998 the Department established a policy to clarify the requirements for modifying non-conforming structures contained in Rule Wt 402.22 (now Wt 402.20).
9. On June 8, 2005 DES issued a Request for More Information letter ("RMI") to the applicant that identified the existing deck as a non-conforming structure and explained that the proposal must be revised to address Rule Wt 402.20.
10. The June 8, 2005 RMI letter clearly identified changes made to RSA 482-A:3 in 2003, requiring the applicant to submit additional information to DES within 120 days of the request. A copy of the letter was sent to the agent of record.
11. In a response to the June 8, 2005 RMI, on July 6, 2005 the Department received a revised plan showing removal of the northerly pier and a letter from the agent for the applicant maintaining that the project meets the requirements of Rule Wt 402.20.
12. The project as proposed results in a 215 sq ft increase in construction surface area over public submerged lands.
13. The proposal does not demonstrate a reduction in the number of slips provided on this frontage. The existing structures provide no boat slips pursuant to RSA 482-A:2(VIII) or the prior administrative Rule Wt 101.09. The proposed docking structure would provide for 2 boat slips pursuant to RSA 482-A:2(VIII).
14. On August 3, 2005, the Bureau issued a second RMI notifying the applicant that the agent for the applicant failed to address the requirements of Rule Wt 402.20.
15. In letters to the Department on August 16, 2005 and August 29, 2005 the agent for the applicant disputes the Department's interpretation of Rule Wt 402.20, maintaining that the project is not required to meet Rule Wt 402.20.

Rulings in Support of the Decision

16. The project proposes to modify an illegal, non-conforming structure in a manner that does not meet the requirements of Rule Wt 402.20 and therefore the application has been denied.

2005-00602 DOCHSTADER, CANDACE
HOLLIS Unnamed Wetland

Requested Action:

Dredge and fill a total of 3,340 square feet of freshwater wetlands to upgrade existing farm road for use as a driveway to single family residence, including 3,100 square feet to install a 4' x 4' x 22' box culvert to upgrade existing wetlands crossing, and impact 240 square feet of wetlands bank to accomodate widening of farm road at second crossing to 10' wide driveway width, with no change in existing culvert.

Conservation Commission/Staff Comments:

Conservation Commission expressed concerns about changing the hydrology of the wetlands by changing culvert sizes.

APPROVE PERMIT:

Dredge and fill a total of 3,340 square feet of freshwater wetlands to upgrade existing farm road for use as a driveway to single family residence, including 3,100 square feet to install a 4' x 4' x 22' box culvert to upgrade existing wetlands crossing, and impact 240 square feet of wetlands bank to accomodate widening of farm road at second crossing to 10' wide driveway width, with no change in existing culvert.

With Conditions:

1. All work shall be in accordance with revised plans by Spaulding Land Planning Associates dated 8/11/2005, as received by the Department on 8/22/2005.
2. This permit is contingent on approval by the DES Dam Safety Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. The permittee shall coordinate with the NH Division of Historic Resources to assess and mitigate the project's effect on historic resources.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Work shall be done during low flow.
12. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(1), alteration of of less than 200 linear feet of a perennial stream, and per Rule Wt 303.03 (h), projects involving less than 20,000 of impact in non-tidal wetlands in the aggregate.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

With respect to culvert sizing concerns expressed by the NH Fish and Game Department, the applicant has agreed to install an oversized box culvert to improve aquatic species passage issues for the crossing to be replaced; and is leaving the existing second culvert in place with only headwall improvement, which responds in part to the concern of the Conservation Commission with

respect to altering the hydrology of the existing wetland. DES finds that these two actions represents reasonable compromise to the divergent opinions expressed.

2005-00880 SCHULTZ, MARK
ASHLAND Squam River

Requested Action:

Install a 6 ft by 40 ft seasonal dock west of an existing 4 by 40 seasonal pier on 313 ft of shoreline on the Squam River, Ashland.

Conservation Commission/Staff Comments:

No Con Com comments by 8/18/05

NH NHI and NH Fish and Game will not be submitting comments

APPROVE PERMIT:

Install a 6 ft by 40 ft seasonal dock west of an existing 4 by 40 seasonal pier on 313 ft of shoreline on the Squam River, Ashland.

With Conditions:

1. All work shall be in accordance with plans dated April 28, 2005, as received by the Department on September 6, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. These shall be the only structures on this water frontage and all portions of the docks shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
5. Seasonal pier shall be removed from the water for the non-boating season.
6. No portion of the piers shall extend more than 40 feet from the shoreline at full lake elevation.
7. This permit does not allow for the modification of shoreline for the installation of the seasonal dock.
8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), construction of any docking system that provides for 4 boat slips including previously existing boat slips.

2005-01209 HOPGOOD, JAMES & MIMI
TUFTONBORO Lake Winnepesaukee

Requested Action:

Construct a 6 ft by 50 ft permanent wharf on an average of 659 ft of frontage on Cow Island, Lake Winnepesaukee.

Conservation Commission/Staff Comments:

Con Com has no objections

NH NHI and NH Fish and Game will not be submitting comments

APPROVE PERMIT:

Construct a 6 ft by 50 ft permanent wharf on an average of 659 ft of frontage on Cow Island, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by David Dolan Associates dated June 1, 2005, as received by the Department on June 3, 2005.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of

the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.

3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. The minimum clear spacing between piles shall be 12 feet.
6. There shall be no shoreline modifications for the construction of the wharf or the anchor points to the shoreline.
7. The wharf shall not be connected to the adjacent wharf on lot 2-19.
8. There shall be no dredge allowed adjacent to the wharf.
9. No work is authorized to the existing 6 ft x 30 ft seasonal pier.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), construction of a permanent wharf providing fewer than 5 boat slips.
2. In accordance with Rule Wt 402.12, the applicant has sufficient frontage for 9 boatslips.
3. The proposed wharf and existing seasonal dock will provide for a total of 4 slips, as defined per RSA 482-A:2, on the frontage and therefore, meets the requirements of Rule Wt 402.12.

2005-01267 LANCASTER, TOWN OF
LANCASTER Unnamed Wetland

Requested Action:

Fill 6,500 square feet of wetland and install an 18" x 110' culvert to expand parking for emergency response vehicles behind an existing ambulance bay.

APPROVE PERMIT:

Fill 6,500 square feet of wetland and install an 18" x 110' culvert to expand parking for emergency response vehicles behind an existing ambulance bay.

With Conditions:

1. All work shall be in accordance with plans by Ron Wert dated, as received by the Department on June 6, 2005.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Proper headwalls shall be constructed within seven days of culvert installation.
5. Culvert outlets shall be properly rip rapped.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), as impacts are less than 20,000 square feet.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2005-01283 CRIMBLE ALTON BAY REVOC LIVING TRUST
ALTON BAY Lake Winnepesaukee

Requested Action:

Construct a 6 ft by 40 seasonal dock attached to a 4 ft by 6 ft concrete pad located 12 ft from an existing 10 ft by 28 ft permanent dock accessed by a 4 ft by 4 ft ramp on 181 ft of frontage on Lake Winnepesaukee, Alton.

Conservation Commission/Staff Comments:

Con Com has no objections

APPROVE PERMIT:

Construct a 6 ft by 40 seasonal dock attached to a 4 ft by 6 ft concrete pad located 12 ft from an existing 10 ft by 28 ft permanent dock accessed by a 4 ft by 4 ft ramp on 181 ft of frontage on Lake Winnepesaukee, Alton.

With Conditions:

1. All work shall be in accordance with plans, as received by the Department on September 16, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. The concrete pad shall be located entirely landward of full lake elevation of 504.32 and landward of the natural undisturbed shoreline.
5. These shall be the only structures on this water frontage and all portions of the docking structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
6. The seasonal pier shall be removed from the lake for the non-boating season.
7. No portion of the pier shall extend more than 40 feet from the shoreline at full lake elevation.
8. There shall be no modifications to the bank for the installation of the access stairs. The stairs shall be constructed over the bank.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), construction of a docking structure that exceeds Wt 303.04.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The proposed dock is not attached to the existing non-conforming docking structure and provides for less square feet of impact than construction of new structure meeting the current rules thus the plan addresses Wt 402.20.
5. The applicant has sufficient frontage for 3 slips pursuant to Wt 402.12.
6. The proposed structure and existing structure provide for no more than 3 slips on the frontage thus meeting Wt 402.12.

2005-01355 HIGHWOOD COLD STORAGE
LONDONDERRY Detention Pond

Requested Action:

Abandon and fill 9,706 square feet of a 2-year old constructed detention pond (to be relocated elsewhere on the property) to create improved delivery truck access at an existing commercial facility.

Conservation Commission/Staff Comments:

Conservation Commission wrote that they had no comments based on the fact that the man-made detention pond does not meet the jurisdictional requirements for a wetland.

APPROVE PERMIT:

Abandon and fill 9,706 square feet of a 2-year old constructed detention pond (to be relocated elsewhere on the property) to create improved delivery truck access at an existing commercial facility.

With Conditions:

1. All work shall be in accordance with plans by Bedford Design Consultants Inc. dated 1/31/2005, revised 4/26/2005 as received by the Department on 6/15/2005.
2. This permit is contingent on approval by the DES Site Specific Program.
3. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), alteration of less than 20,000 square feet of impact in the aggregate of a non-tidal surface water.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project with the applicant's consultant prior to this application. Field inspection determined that this constructed detention pond was not considered to be jurisdictional other than as a constructed surface water for the purposes of stormwater management which could be relocated in other uplands on the site to perform the same function.

2005-01502

HALEY, SANDRA

MEREDITH Unnamed Wetland

Requested Action:

Dredge and fill 3640 square feet including installation of three 12-inch x 25 foot culverts for access to a proposed single family residence.

Conservation Commission/Staff Comments:

Please see the findings.

APPROVE PERMIT:

Dredge and fill 3640 square feet including installation of three 12-inch x 25 foot culverts for access to a proposed single family residence.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated June 2005, as received by the Department on July 26, 2005.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. Work shall be done during low flow.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Silt fencing must be removed once the area is stabilized.
13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h); Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has limited the crossing to include the least amount of very poorly drained soils as well as providing the crossing at the narrowest wetland location.
5. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
6. The applicant has provided geotextile stabilization fabric at the request of the conservation to prevent future wetland impacts.
7. Condition number 12 requires that the applicant adhere to DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996).
8. The permit is contingent upon approval of the DES Subsurface Bureau, which will determine if the state considers this a building lot.

2005-01517 NORTH FENWICK FAMILY LLC, ROBERT VON DOHLEN
PITTSBURG First Connecticut Lake

Requested Action:

Construct a 4 ft by 33 ft seasonal dock adjacent to 91 linear ft of crib retaining wall along the shoreline on First Connecticut Lake, Pittsburg.

Conservation Commission/Staff Comments:

NH NHI and NH Fish and Game will not be submitting comments

APPROVE AFTER THE FACT:

Construct a 4 ft by 33 ft seasonal dock adjacent to 91 linear ft of crib retaining wall along the shoreline on First Connecticut Lake, Pittsburg.

With Conditions:

1. All work shall be in accordance with plans as received by the Department on July 1, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
5. Seasonal pier shall be removed from the lake for the non-boating season.
6. No portion of the pier shall extend more than 34 feet from the shoreline at full lake elevation.
7. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(k), projects that disturb between 50 and 200 linear ft measured along the shoreline of a lake.
2. The existing structures have been in place for 20 years and the shoreline is currently stable.

2005-01805

NH DEPT OF TRANSPORTATION

ENFIELD Mascoma Lake

Requested Action:

Impact 2,003 sq. ft. of existing drainage ditch by reconstruction of the ditch line, replacing a cross culvert, and replacing the guardrail. Impact 840 sq. ft. of bank to stabilize an existing slope that failed and temporarily impact 5,826 sq. ft. for the installation of a turbidity curtain for erosion control purposes.

APPROVE PERMIT:

Impact 2,003 sq. ft. of existing drainage ditch by reconstruction of the ditch line, replacing a cross culvert, and replacing the guardrail. Impact 840 sq. ft. of bank to stabilize an existing slope that failed and temporarily impact 5,826 sq. ft. for the installation of a turbidity curtain for erosion control purposes. NHDOT project #14481.

With Conditions:

1. All work shall be in accordance with plans by NHDOT, Bureau of Highway Design dated 8/05, as received by the Department on 9/13/05 and the Stormwater Pollution Prevention Plan by Pathways Consulting, LLC, dated September, 2005 as received by the Department on 9/14/05.
2. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
3. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. Construction equipment shall not be located within surface waters.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
7. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be

stabilized within 14 days by seeding and mulching.

9. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.

10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

11. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.

12. There shall be no further alteration to wetlands or surface waters without amendment of this permit.

13. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.

14. The impacts associated with the temporary work shall be remediated immediately following construction.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(k), alteration of less than 200 linear feet of bank.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. DES Staff conducted a field inspection of the proposed project on August 1, 2005. Field inspection determined the embankment needs stabilization and the majority of the impacts are temporary.

MINIMUM IMPACT PROJECT

2005-00165 NH DEPT OF TRANSPORTATION
SUTTON Drainage Ditch

Requested Action:

Request to amend permit to include an additional area of ditch and added protection at culverts.

Conservation Commission/Staff Comments:

Cons. Comm. - no comment

APPROVE AMENDMENT:

Impact 2,236 sq. ft. of roadside drainage and forested wetland to allow rock removal adjacent to Route 89 southbound lane.
NHDOT project #14238.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Highway Design dated 8/05 as received by the Department on September 19, 2005.

2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.

3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.

4. Construction equipment shall not be located within surface waters.

5. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

6. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices

for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

7. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
8. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
9. Work shall be done during low flow.

2005-00600 MELONEY, PATRICIA & NORMA BELL
DOVER Belleamy River

Requested Action:

Perform construction work in 165 sq. ft. of previously impacted upland tidal buffer zone, being a minimum of 50 feet landward of the highest observable tide line, to convert existing deck space into an enclosed room.

Conservation Commission/Staff Comments:

The Dover Conservation Commission is not opposed to the project provided all work is outside the 50-foot setback from tidal waters per the NH Comprehensive Shoreland Protection Act (RSA 483-B:9 II (b)).

APPROVE PERMIT:

Perform construction work in 165 sq. ft. of previously impacted upland tidal buffer zone, being a minimum of 50 feet landward of the highest observable tide line, to convert existing deck space into an enclosed room.

With Conditions:

1. All work shall be in accordance with plans by KEM Land Survey, Inc. dated Oct. 5, 2004, as received by the Department on Marc 31, 2005.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

2005-00741 RJ MOREAU COMPANIES
CONCORD Beaver Brook

Conservation Commission/Staff Comments:

The Conservation Commission did not comment.

APPROVE PERMIT:

Dredge and fill approximately 733 square feet perennial stream and forested wetlands to install an approximately 2.6' x 5' x 8' bottomless box culvert extension and field stone headwalls for the widening of Fisherville Road.

With Conditions:

1. All work shall be in accordance with plans by Bedford Design Consultants Inc., dated May 21, 2004, as received by the Department on April 16, 2005.
2. This permit is contingent on approval by the NHDOT.
3. This permit is contingent on approval by the City of Concord.
4. Work shall be done during low flow.
5. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
6. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse. In-stream work shall not exceed five consecutive days in total unless specifically authorized in writing by the Wetlands Bureau.
7. There shall be no excavation or operation of construction equipment in flowing water.

8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
 9. Proper headwalls shall be constructed within seven days of culvert installation.
 10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
 11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
 12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
 13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
- Faulty equipment shall be repaired prior to entering jurisdictional areas. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(j), projects located within the right-of-way of a public road.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The project is part of the offsite improvements required for the construction of a residential condominium community on Bog Road.

2005-01210 GALANES, JAMES
SPOFFORD Spofford Lake

Requested Action:

Rebuild in-kind 100 linear feet of dry-laid stone wall on 100 feet of frontage on Lake Spofford.

APPROVE PERMIT:

Rebuild in-kind 100 linear feet of dry-laid stone wall on 100 feet of frontage on Lake Spofford.

With Conditions:

1. All work shall be in accordance with undated plans and narrative by Bob Riley as received by the Department on 8/26/2005.
2. Existing rocks which have fallen shall be used for repair. No additional rocks.
3. Work shall be done in the dry.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Area shall be regraded to original contours following completion of work.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(c), Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration.

2005-01442 STEVENS, BETTY/J CLINTON
BRENTWOOD Unnamed Wetland

Requested Action:

Fill 1,950 square feet of wet meadow for the installation of a 12-inch by 20-foot culvert for access to a single family residential lot on 11.34 acres.

Conservation Commission/Staff Comments:

The Brentwood Conservation Commission supports the project.

APPROVE PERMIT:

Fill 1,950 square feet of wet meadow for the installation of a 12-inch by 20-foot culvert for access to a single family residential lot on 11.34 acres.

With Conditions:

1. All work shall be in accordance with plans by Atlantic Survey Co., Inc. dated April 2005, as received by the Department on June 24, 2005.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Work shall be done during low flow conditions.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional wet meadow.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. In accordance with 304.04(a), the applicant received written concurrence from the abutter identified as Herbert and Rosalie Stevens (Madbury Tax Map 6 Lot 12 Block 4) relative to those impacts within 20-feet of their property line.

FORESTRY NOTIFICATION

2005-01898 BEVARD, ROBERT
WOLFEBORO Unnamed Wetland

COMPLETE NOTIFICATION:

Wolfeboro Tax Map 76, Lot# 1

2005-02144 ROSE, CHRIS
WEBSTER Unnamed Stream

COMPLETE NOTIFICATION:

Webster Tax Map 8, Lot# 29

2005-02203 BROWN, KEITH
AUBURN Unnamed Stream

COMPLETE NOTIFICATION:

Auburn Tax Map 5, Lot# 106

2005-02204 DILLON, SCOTT
SUCCESS Unnamed Stream

COMPLETE NOTIFICATION:

Success Tax Map 1612, Lot# 7

2005-02205 MURPHY & CASSATO PARTNERSHIP, JAMES D MURPHY
HILLSBOROUGH Unnamed Stream

COMPLETE NOTIFICATION:

Hillsboro Tax Map 7, Lot# 119

2005-02212 NAMELESS ROCK FOREST INC, HOWARD COFFMAN
CHESTERFIELD Unnamed Stream

COMPLETE NOTIFICATION:

Chesterfield Tax Map 21, Lot# 4

EXPEDITED MINIMUM

2004-02986 MCGRATH, GERARD
MADISON Middle Pea Porridge Pond

Requested Action:

Approve amendment to reflect new plans submitted showing change in wall construction materials.

Conservation Commission/Staff Comments:

Con Com did not sign Exp Application

APPROVE AMENDMENT:

Construct a 6 ft by 30 ft seasonal dock, construct a 20 ft by 17 ft perched beach with 3 ft wide access stairs in the bank on 87 ft of frontage on Middle Pea Porridge Pond, Madison.

With Conditions:

1. All work shall be in accordance with plans by Thaddeus Thorne Surveys Inc. dated October 19, 2004, revision date August 25, 2005, as received by the Department on August 26, 2005.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. This shall be the only dock on this water frontage and all portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
5. No portion of the pier shall extend more than 30 feet from the shoreline at full lake elevation.
6. Seasonal piers shall be removed for the non-boating season.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
9. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 650). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
10. The steps installed for access to the water shall be located completely landward of the normal high water line.
11. No more than 10 cu yds of sand may be used and all sand shall be located above the normal high water line.
12. This permit shall be used only once, and does not allow for annual beach replenishment.
13. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
13. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
14. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
15. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(d), construction of a perched beach.

**2005-00676 34 DOLLOFF DAM LLC, GARY & JEANANN ST PIERRE
NOTTINGHAM Pawtuckaway Pond**

Requested Action:

Remove existing nonconforming 9 ft 11 in x 24 ft 3 in permanent pier and replace it with a 6 ft x 24 ft seasonal walkway attached to a 4 ft x 30 ft seasonal pier in a "L" shaped configuration on 142 ft of frontage on Pawtuckaway Pond, Nottingham.

APPROVE PERMIT:

Remove existing nonconforming 9 ft 11 in x 24 ft 3 in permanent pier and replace it with a 6 ft x 24 ft seasonal walkway attached to a 4 ft x 30 ft seasonal pier in a "L" shaped configuration on 142 ft of frontage on Pawtuckaway Pond, Nottingham.

With Conditions:

1. All work shall be in accordance with plans by Gary and Jean Ann St. Pierre dated August 29, 2005, as received by the Department on September 1, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft from abutting property

lines or the imaginary extension of those lines into the water.

4. Seasonal pier and walkway shall be removed from the lake annually for 4 months during the non-boating season.
5. Walkways, stairways, and paths within 50 ft of the reference line shall not exceed 6 ft in width.
6. No portion of the pier shall extend more than 30 feet from the shoreline at full lake elevation and shall not exceed 6 ft in width.
7. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.03(a), construction or modification of a seasonal pier.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2005-01054 COROLI TRUST
SUGAR HILL Unnamed Wetland

Requested Action:

Dredge 11,000 square feet of wet meadow for the construction of a pond on a single family residential lot of 1.2 acres.

Conservation Commission/Staff Comments:

The Sugarhill Conservation Commission signed the Minimum Impact Expedited Application

APPROVE PERMIT:

Dredge 11,000 square feet of wet meadow for the construction of a pond on a single family residential lot of 1.2 acres.

With Conditions:

1. All work shall be in accordance with plans by John Seely dated April 4, 2005, as received by the Department on July 11, 2005.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. All work within DES's jurisdiction shall be located at least 20 feet from abutting property boundaries unless written permission is submitted in accordance with Wt 304.04(a).
4. Work shall be conducted during (seasonal) low flow conditions, and during drawdown where practicable.
5. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Machinery shall not be located within jurisdictional areas, where practicable.
7. Machinery shall be staged and refueled in upland areas.
8. Dredged spoils shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Stockpiled dredged material shall be dewatered in upland areas to sedimentation basins lined with erosion and siltation controls to prevent water quality degradation. Dewatering areas must be located at least 20 feet away from jurisdictional areas.
10. Mulch within the restoration area shall be straw.
11. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.
12. Only native wetland vegetation shall be planted.
13. Within three calendar days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(p), construction of a pond.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-01197 O'DONNELL, AGNES & JAMES
CHESTERFIELD Spofford Lake

Requested Action:

Remove 76 linear feet by 9 feet of the failing rock retaining wall and associated stairs to reconstruct and replace with redi-rock on Spofford Lake with 40 linear feet of shoreline frontage.

Conservation Commission/Staff Comments:

The Chesterfield Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Remove 76 linear feet by 9 feet of the failing rock retaining wall and associated stairs to reconstruct and replace with redi-rock on Spofford Lake with 40 linear feet of shoreline frontage.

With Conditions:

1. All work shall be in accordance with plans by Dan Adams dated June 2005, as received by the Department on July 5, 2005.
2. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
6. Repair shall maintain existing size, location and configuration.
7. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
8. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(c) Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-01849 GREAT LAKES HYDRO AMERICA LLC
GORHAM Androscoggin River

Requested Action:

Dredge approximately 868 square feet within the bed of an existing power canal off the Androscoggin River to remove and replace the trash racks at the Gorham Hydro Station Gatehouse.

APPROVE PERMIT:

Dredge approximately 868 square feet within the bed of an existing power canal off the Androscoggin River to remove and replace the trash racks at the Gorham Hydro Station Gatehouse.

With Conditions:

1. All work shall be in accordance with plans by York Land Services dated June 10, 2005, as received by the Department on August 12, 2005.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. All work within flowing water shall be conducted in the dry using a dam and flume or dam and pump method.
4. All in-stream work shall be conducted during drawdown and low flow conditions and in a manner so as to minimize turbidity.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
8. Faulty equipment shall be repaired prior to entering jurisdictional areas.
9. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
10. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
11. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(k), as impacts are to maintain an existing spillway.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-01956

CHANCEY, ROBERT

JEFFERSON Unnamed Stream

Requested Action:

Dredge and fill 120 square feet within an intermittent stream to replace existing 36-inch x 20 foot failing culvert with a 48-inch x 20 foot culvert.

Conservation Commission/Staff Comments:

The conservation commission signed this minimum impact application.

APPROVE PERMIT:

Dredge and fill 120 square feet within an intermittent stream to replace existing 36-inch x 20 foot failing culvert with a 48-inch x 20 foot culvert.

With Conditions:

1. All work shall be in accordance with plans by Robert Chauncey, as received by the Department on August 23, 2005.
2. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
3. Work shall be done during dry conditions.
4. In the event there is flow at the time of construction a stream diversion plan shall be submitted to the department prior to construction. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
6. There shall be no excavation or operation of construction equipment in flowing water.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Culvert shall be corrugated.
12. Culverts shall be laid at original grade.
13. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
14. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
15. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during access road construction and areas cleared of vegetation to be revegetated within three days of the completion of this project.
16. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
17. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
18. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(x), replacement of a nondocking structure such as a culvert.
2. No substantial change to the existing failing culvert will be made, 30" x 20' corrugated metal culvert will be replaced with 48" x 20' corrugated plastic culvert.
3. The increase in size of the culvert will improve an existing situation and will accommodate spring flows, which currently do not flow freely through the existing smaller culvert.
4. Stream channel impact area will not be significantly altered.
5. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
6. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
7. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-01965 BJERKE, DIANE/THOMAS
GRANTHAM Unnamed Wetland

Requested Action:

Dredge and fill 2811 square feet of forested wetlands for installation of three culverts (15"x26', 24"x65', 24"x38') for driveway

access to a single family building. Also, impact 408 square feet of stream bed and bank for a temporary log crossing needed to construct a permanent bridge. Permanent bridge will have no bed or bank impacts.

APPROVE PERMIT:

Dredge and fill 2811 square feet of forested wetlands for installation of three culverts (15"x26', 24"x65', 24"x38') for driveway access to a single family building. Also, impact 408 square feet of stream bed and bank for a temporary log crossing needed to construct a permanent bridge. Permanent bridge will have no bed or bank impacts.

With Conditions:

1. All work shall be in accordance with plans by Shauer Environmental Consultants, LLC dated June 30, 2005, as received by the Department on August 24, 2005 and plans received by the Department in September 16, 2005.
2. Work shall be done during low flow.
3. There shall be no excavation or operation of construction equipment in flowing water.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Culverts shall be laid at original grade.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during access road construction and areas cleared of vegetation to be revegetated within three days of the completion of this project.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
14. Banks shall be restored to their original grades and to a stable condition within three days of completion of construction.
15. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
16. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
17. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
18. A post-construction report documenting the status of the completed wetlands impacts and proposed bridge with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), projects involving the alteration of less than 3000 square feet.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. In a letter dated August 17, 2005 as received by the department on August 24, 2005 the Grafton Conservation Commission stated concern regarding the height of the bridge and its ability to handle heavy flow conditions, a request was made to re-visit the engineers calculations.
6. The applicant informed the department that in negotiations with the Conservation Commission the bridge height had been raised

from low side 992.0' and high side 996.0' to low side 994.0' and high side 995.0'.

2005-02005 WIENER, PAUL & BLANCHE
MEREDITH Lake Winnepesaukee

Requested Action:

Construct a 6 ft by 40 ft seasonal dock attached to a 6 ft by 4 ft concrete pad accessed by an access walkway over the beach on Lake Winnepesaukee, Meredith.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Construct a 6 ft by 40 ft seasonal dock attached to a 6 ft by 4 ft concrete pad accessed by an access walkway over the beach on Lake Winnepesaukee, Meredith.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated August 5, 2005, as received by the Department on August 29, 2005.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
6. Seasonal pier shall be removed from the lake for the non-boating season.
7. No portion of the pier shall extend more than 40 feet from the shoreline at full lake elevation.
8. The concrete pad shall be entirely located behind the natural undisturbed shoreline.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a), construction of a seasonal dock.

2005-02031 SOMERSWORTH HYDRO CO., INC.
SOMERSWORTH Salmon Falls River

Requested Action:

Impact a total of 850 sq. ft. of the Salmon Falls River to repair an existing retaining wall and remove accumulated rocks and debris from the tailrace area of the project.

Conservation Commission/Staff Comments:

Con. Com. signed Expedited Application.

APPROVE PERMIT:

Impact a total of 850 sq. ft. of the Salmon Falls River to repair an existing retaining wall and remove accumulated rocks and debris

from the tailrace area of the project.

With Conditions:

1. All work shall be in accordance with plans by Somersworth Hydro Company, Inc. dated August 18, 2005, as received by the Department on August 29, 2005.
2. All work shall be done in the dry.
3. The DES Wetlands Bureau shall be notified in writing prior to commencement of work and upon completion.
4. Any further alteration of wetlands on this property will require a new application and further permitting by Department of Environmental Services ("DES") Wetlands Bureau.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in until the area is stabilized.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing, by mulching with tack or netting and pinning on slopes steeper than 3:1.

2005-02068 FRIZZELL, ALBERT
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Install a 14 ft by 30 ft seasonal canopy over the center slip of an existing docking facility consisting of a 6 ft by 30 ft piling supported pier connected to a 4 ft by 30 ft piling supported pier by a 5 ft by 14 ft 3 in walkway on an average of 300 ft of frontage on Lake Winnepesaukee, Moultonborough.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Install a 14 ft by 30 ft seasonal canopy over the center slip of an existing docking facility consisting of a 6 ft by 30 ft piling supported pier connected to a 4 ft by 30 ft piling supported pier by a 5 ft by 14 ft 3 in walkway on an average of 300 ft of frontage on Lake Winnepesaukee, Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated August 25, 2005, as received by the Department on August 02, 2005.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Canopies shall be of seasonal construction type with a flexible fabric cover which shall be removed for the non-boating season.
4. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
5. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(o), projects deemed minimum impact by the department based on the degree of environmental impact.

2005-02069 CHABOT, GEORGE
NEW DURHAM Merrymeeting Lake

Requested Action:

Repair 10 linear ft of existing retaining wall on Merrymeeting Lake, New Durham.

Conservation Commission/Staff Comments:
Con Com signed Exp Application

APPROVE PERMIT:

Repair 10 linear ft of existing retaining wall on Merrymeeting Lake, New Durham.

With Conditions:

1. All work shall be in accordance with plans as received by the Department on September 02, 2005.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
3. Work shall be done during drawdown.
4. Area shall be regraded to original contours following completion of work.
5. Dredged material and construction debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Repair shall maintain existing size, location and configuration.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(c), repair or replacement of existing retaining walls.

**2005-02162 RAINTREE RECREATIONAL VENTURES
NEWPORT Sugar River**

Requested Action:

Repair a bridge abutment, permanently impacting 76 square feet (30 linear feet) of the bed and banks of the Sugar River. Work to include the use of bioengineering techniques.

Conservation Commission/Staff Comments:
Conservation commission signed the expedited application.

APPROVE PERMIT:

Repair a bridge abutment, permanently impacting 76 square feet (30 linear feet) of the bed and banks of the Sugar River. Work to include the use of bioengineering techniques.

With Conditions:

1. All work shall be in accordance with plans by the applicant, as received by the Department on September 16, 2005.
2. Work shall be done during low flow.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
5. Faulty equipment shall be repaired prior to entering jurisdictional areas.
6. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
7. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(o) for projects deemed minimum impact by the department based on the degree of environmental impact.
2. The proposed work utilizes bioengineering techniques to stabilize and repair a failed bridge abutment.
3. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

TRAILS NOTIFICATION

2005-02139 WILLETTE, WILLIAM
ACWORTH Unnamed Stream

COMPLETE NOTIFICATION:
Acworth Tax Map 14, Lot# 213

2005-02206 THE COMMUNITY SCHOOL
TAMWORTH Unnamed Stream

COMPLETE NOTIFICATION:
Tamworth Tax Map 420, Lot# 16, 29, 39, 43, 44, & 45

LAKES-SEASONAL DOCK NOTIF

2005-02202 BELAIR, RICHARD
TILTON Lake Winnisquam

COMPLETE NOTIFICATION:
Tilton Tax Map R9 Lot# 29 Lake Winnisquam

SHORELAND VARIANCE / WAIV

2005-01080

MARSHALL, LUCY

MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Replace an existing nonconforming house with an 1777.66 sq ft encroachment within the 50 ft primary structure setback with a new primary structure with 916.1 sq ft within the 50 ft setback, and increase the ridgeline height from 15 ft to 30 ft for a second floor addition.

Inspection Date: 05/31/2005 by Chris T Brison

APPROVE CSPWA WAIVER:

Replace an existing nonconforming house with an 1777.66 sq ft encroachment within the 50 ft primary structure setback with a new primary structure with 916.1 sq ft within the 50 ft setback, and increase the ridgeline height from 15 ft to 30 ft for a second floor addition.

With Conditions:

1. All work shall be conducted in accordance with construction, wetland certified, and tree plot plans as received by the department on August 16, 2005, and footprint size reductions as received by the department on May 10, 2005.
2. This approval shall not be effective until it has been recorded at the appropriate County Registry of Deeds and a copy of the recorded waiver is sent to the department.
3. Unnecessary removal of vegetation within the shoreland during construction shall be prohibited.
4. All planted vegetation shall be native and consistent with surrounding natural vegetation on the property and surrounding properties. Planting invasive or exotic species is strictly prohibited.
5. This approval does not allow lakeward expansion of the primary structure.
6. No open deck or porch constructed shall extend more than 12 ft towards the reference line.
7. The contractor/owner responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
8. A copy of this waiver shall be posted on site during construction in a prominent location visible to inspecting personnel.
9. This waiver does not exempt the owner from obtaining any other necessary local, state or federal permits or approvals.
10. The owner shall maintain compliance with all other requirements of the Comprehensive Shoreland Protection Act, RSA 483-B.

With Findings:

1. The existing non-conforming residence is located within the 50 ft primary building setback to Lake Winnepesaukee and therefore fails to conform to the setback restriction set forth in RSA 483-B:9, II, of the CSPWA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming." More nearly conforming "means a proposal for significant changes to the location or size of the existing structures that bring the structures into greater conformity, or a proposal for changes to other aspects of the property, including but not limited to stormwater management, wastewater treatment or traffic volume or flow, or both types of proposal which significantly improve wildlife habitat or resource protection."
3. The applicant has proposed to reduce 861.56 sq ft within the 50 ft setback and therefore meets the requirements for a waiver to RSA 483-B:9 as described in RSA 483-B: 11, I.

ROADWAY MAINTENANCE NOTIF

2005-02197 NH DEPT OF TRANSPORTATION
ROCHESTER Unnamed Stream

2005-02198 NH DEPT OF TRANSPORTATION
WOODSTOCK Unnamed Stream

2005-02199 STRAFFORD, TOWN OF
STRAFFORD Unnamed Stream

2005-02200 NH DEPT OF TRANSPORTATION
MILTON Unnamed Stream

PERMIT BY NOTIFICATION

2005-01858 MILL POND VIEW LLC
NOTTINGHAM Nottingham Lake

Conservation Commission/Staff Comments:
aka Hapswell Power Plant

COMPLETE NOTIFICATION:

Repair of spillway entry apron, patch spillway base and repair bridge abutments & repair spillway wall. Footings for these structures have been undermined. Work will consist of pouring concrete under structures to fill undermined areas and drill to secure concrete or to construct new structure that are missing. Work will be done at a scheduled draw down with Nottingham Lake. Any residual water will be pumped out. Total cubic foot impact will be 1178

2005-02018 STURM, JOHN & EDITH
ALTON BAY Rand Cove Lake Winnepesaukee

2005-02150 HAURI-GILL, HEIDI
ENFIELD Unnamed Wetland

Requested Action:

Dredge and fill 443 square feet of forested wetland to install a 6-inch x 13 feet culvert for driveway access to a single family residence.

APPROVE PERMIT:

Dredge and fill 443 square feet of forested wetland to install a 6-inch x 13 feet culvert for driveway access to a single family residence.

With Conditions:

1. All work shall be in accordance with plans by Landmark Land Services, LLC dated July 2005, as received by the Department on September 16, 2005.
2. There shall be no excavation or operation of construction equipment in flowing water.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
6. Culverts shall be laid at original grade.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.